

APPROVED: Meeting No. 35-86

ATTEST:

Carol A. Kachadoorian

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 24-86

June 2, 1986

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, June 2, 1986, at 8:00 p.m.

PRESENT

Mayor Steven Van Crack

Councilman Steve Abrams

Councilman James F. Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: Acting City Manager Daniel G. Hobbs; City Clerk Carol A. Kachadoorian; City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Hobbs reported the following:

1. The State Highway Administration has accepted the City's design and siting plan for new directional signs leading into the Town Center. Thirty-four signs have been fabricated and installation is expected to begin within one week. Montgomery County is providing 60% of the cost of the signs. The signs will provide attractive direction to City Hall and the county government complex for vehicles entering the City.

2. The City offers professional development opportunities for City employees. For example, the Personnel Department offered a seminar entitled "Effective Public Interaction". The course will be offered to 25 City

employees providing techniques for handling citizens who have problems or request services.

Re: Appointments

On motion of Councilman Hartogensis, duly seconded and unanimously passed, Kenneth Reichard, currently an alternate on the Elections Task Force, was appointed to replace Robert Namovic, who has resigned from the Elections Task Force.

Re: Correspondence

The Mayor and Council noted the following items of Correspondence:

1. MML, re Unemployment Service Agreement

Councilman Hartogensis noted that it is a good cause and asked staff to evaluate and analyze information provided in the letter and to make recommendations.

2. Marilyn Scott, re Cultural Arts Public Hearing

Councilman Abrams commented on the request for a public hearing from the Cultural Arts Commission suggesting that the Commission not have a formal hearing with a transcript, but rather hold a session to gather information from the community. Councilman Duncan said he had talked with John Moser, from the Cultural Arts Commission, and he has his agreement that it would not be a formal hearing but rather a forum for gathering information. Councilman Hartogensis expressed concern over the timing of the hearing in that it will occur during the Maryland Municipal League Conference later this month. Councilman Abrams felt the timing was fine and that allowing the Cultural Arts Commission to have an informational forum would help the moral of the Commission, in that it would give them a sense of independence. Mayor Van Grack agreed that an information meeting should be held and directed the City Manager to inform John Moser of the decision.

3. Mary Jane Barkdoll, re commendation of City employees

Mayor Van Grack asked that staff send a letter thanking Mrs. Barkdoll regarding her letter on City services.

4. Sister Cities, International, re display

Councilman Hartogensis suggested that the task force be asked for its recommendation.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Jerald Williams, First Baptist Church, 55 Adclare Road, Director of CROP, addressed the Mayor and Council regarding proceeds from the Rockville CROP Walk, held on October 13. He noted that \$11,000 was raised in one day, and 12-1/2% of the funds raised by the organization would come back to Rockville through the Rockville FISH and the Rockville Emergency Assistance Program (REAP). The total amount to be received by the two programs was \$1,395.30. Mr. Williams presented the checks for Rockville FISH and the Rockville Emergency Assistance Program to Reverend Mansfield Kaseman of United Community Ministries. He also advised the Mayor and Council that the next CROP walk for world hunger will be held on Sunday, October 12, 1986, and invited the Mayor and Council to join and support them in walking as they hope to raise \$20,000 at that time.

2. Beverly Wadler. Ms. Wadler expressed interest in participating in the Sister Cities Program. Councilman Abrams asked staff to get the names of the task force members to Ms. Wadler and advised her that although she does not live in the City of Rockville, she could have fuller participation in the Sister Cities Program as the Task Force is looking to incorporate and would welcome assistance from interested parties.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Adoption of Resolution:
To Authorize Signatures
for City Bank Accounts

Resolution No. 15-86

On motion of Councilman Hartogensis, duly seconded and unanimously

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passed, Resolution No. 15-86, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, authorizing signatures for City bank accounts and examination of safety deposit box for City Clerk Carol A. Kachadoorian and City Manager Richard V. Robinson, was adopted by the Mayor and Council.

Re: Decision and
Instructions to staff
re: Annexation Petition
X-99-86, J.A. Lynott,
Applicant, requesting
the Mayor and Council to
enlarge the corporate
boundaries of the City
to include a 27,138
square foot parcel of
land located on the west
side of Shady Grove Road
and I-270 and that the
land be placed in the I-
3 Industrial Zone

On motion of Councilman Abrams, duly seconded, staff was instructed to prepare the necessary legal documentation to grant Annexation Petition X-99-86.

Councilman Duncan asked that the Planning Director provide the Mayor and Council with some clarification on a letter, dated May 28, 1986, from Norman Christeller, Chairman of MNCPPC. The Director of Planning, Mike Davis provided the clarification requested by Councilman Duncan.

Re: Decision and
Instructions to staff
re: Map Amendment
Application, M-48-86,
Mayor and Council of
Rockville, Maryland,
applicant, requesting an
unimproved lot located
on S. Stonestreet Ave.
at Reading Place, an
area of 9042 square
feet, be rezoned from
the present I-1,
Industrial Zone, to R-
75, Residential Zone

Councilman Abrams asked a number of questions of staff regarding the proposed rezoning lot size in relation to other residential lots in the area. Larry Owens of the Planning Department responded to Councilman Abrams' questions also noting a number of permits and plan approval actions that the current owner of the lot needs to conform with before beginning construction.

On motion of Councilman Hartogensis, duly seconded and passed, Councilman Abrams voting nay and Mayor Van Grack and Councilmembers Coyle, Duncan and Hartogensis voting aye, staff was instructed to prepare the necessary documentation to rezone property as recommended by staff.

Councilman Hartogensis stated that he was basing his decision to rezone the property on the basis that there was an actual change in the circumstances of the immediate area that justified the rezoning. Councilman Abrams noted that there is a commercial store down the street from the property in question that is zoned C-1.

Councilman Abrams said he is not persuaded that there is enough information at the current time to make the request for rezoning viable. He said he would be more comfortable rezoning the property to something other than R-75.

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Re: Adoption of ordinance to grant Text Amendment application, T-72-85, J. A. Lynott, Applicant, to allow canopies to project up to the right of way.

Ordinance No. 13-86

On motion of Councilman Hartogensis, duly second and unanimously passed, Ordinance No. 13-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, to allow canopies to project up to the right of way, was adopted by the Mayor and Council.

Re: Adoption of ordinance to grant text amendment application, T-75-86, to allow carnivals as a temporary use in the O-1 and TCM-2 zones.

Ordinance No. 14-86

On motion of Councilman Duncan, duly seconded and passed, Councilman Hartogensis and Mayor Van Grack voting nay and Councilmembers Coyle, Duncan and Abrams voting aye, Text Amendment Application, T-75-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, to allow carnivals as a temporary use in the O-1 and TCM-2 Zones, was adopted by the Mayor and Council.

Councilman Hartogensis stated he found the proposed ordinance less objectionable than the initial one proposed, but he still objected to allowing carnivals.

Re: Information Items

1. Memorandum from Planning Commission, re: T-77-86, parking reduction.

Councilman Duncan stated that the issue is handled under the current regulations. In response to a question from Councilman Abrams, City Attorney, Paul Glasgow, advised the Council that they did need a resolution to withdraw the application.

2. Information on Revenue Sharing

Re: New Business

1. Councilman Duncan moved that staff be instructed to prepare a resolution to withdraw text amendment, T-77-86, seconded by Councilman Abrams. Councilman Hartogensis agreed with the motion stating that Mayor and Council should not make a text amendment for a single property. The motion passed unanimously.

2. Councilman Abrams raised the issue of sending a letter to the State Motor Vehicle Administration regarding the potential site of their offices at the intersection of Montrose and Seven Locks Roads. He suggested that the letter discuss the traffic impact on locating the offices there, vis-a-vis development at Westmont and potential development of the Fortune Parc property. He further noted that the master plan does not call for any institutional uses west of Seven Locks Road, even though the state of Maryland is not required to comply with local zoning regulations. He further asked the City Attorney to review the dedication of right of way for the Montrose extension to Falls Road. Councilman Coyle suggested that the letter also be sent to the state delegation. Councilman Duncan asked if the city had received any response from the Motor Vehicle Administration to a previous letter to which Mr. Davis responded that we had not. Mayor Van Grack agreed with preparing the letter and asking the City Attorney to investigate the right-of-way status and asked staff to proceed posthaste. It was the

consensus of the Mayor and Council that the letter be prepared by staff for the Mayor's signature.

3. Councilman Abrams asked about the status of the Rockville Pike Plan. Planning Director Mike Davis advised the Mayor and Council that the Rockville Pike Committee had completed its work on Thursday and that the plan is being prepared for distribution. He stated it would be in the brief book for the Mayor and Council's meeting for June 9th.

4. Councilman Abrams asked the status of the Election Task Force work. Councilman Duncan reported that the Election Task Force would provide the Mayor and Council with the report in July. However, because of the efficiency with which that group is working, the report could be available early. Mayor Van Grack asked that when the final document is received, all subcommittee reports be included as well as an executive summary.

5. A letter from Mr. John O'Neill regarding drainage and infestation of a property on South Washington Street was discussed. Mayor Van Grack asked that staff investigate the items contained in Mr. O'Neill's letter.

Re: Executive Session

On motion from Councilman Abrams, duly seconded and passed, the meeting was closed for executive session in order to consult with legal counsel.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 8:51 p.m. to convene again in general session on Monday, June 9, 1986, at 8:00 p.m. or at the call of the Mayor.